

REMARKS

The Office Action mailed October 25, 2005 has been carefully reviewed along with the references cited therein. In the Office Action, the Examiner objected to the specification for failing to provide proper antecedent basis for the claimed subject matter. The Examiner indicated that claims 1, 3-10, 12, 13, 17, 19-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 3, 5, 6, 9, 10, 12, 13, 17, 19-26 were rejected under 35 U.S.C. 102(b) as being anticipated by Leyerle et al. (U.S. Patent No. 6,397,517). The Examiner also rejected claims 1, 3-7, 20, 21 under 35 U.S.C. 102(b) as being anticipated by Blythe (Great Britain Pat. No. 2332356). Claims 5, 6, 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Leyerle et al. in view of Vajs et al. (U.S. Patent No. 4,665,644). Claims 5, 6, 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Blythe in view of Vajs et al. The Examiner indicated that claim 8 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims. Applicant appreciates the indication of allowable subject matter.

As for the objection to the specification, Applicant has removed the recitation of "a stake" from the claims. Accordingly, Applicant requests that the Examiner remove this objection.

As for the §112, second paragraph rejections, Applicant has amended claims 1, 6, 9 and 22 in accordance with the Examiner's suggestions. Accordingly, Applicant respectfully requests that the Examiner remove the §112, second paragraph rejections.

Claim 1 has been amended to include the limitations of claims 7 and 8. Claim 8 was deemed allowable by the Examiner.

Claim 9 has been amended to include "the set lever including a first end pivotally mounted to the upper wall and a second end selectively contacting the trigger." This recitation is similar to claim 8, which was found allowable by the Examiner. Furthermore, in Leyerle et al. '517, the set lever, which the Examiner deems to be a portion of 78 acting between 88 and 94, is not pivotally mounted to the upper wall of the trap housing. Accordingly, claim 9 now patentably defines over the cited reference.

Claim 22 has been amended to recite that the striker is pivotally connected to the top wall and the trigger is pivotally connected to the frame. In Leyerle et al. '517, the striker

88 is not pivotally connected to the top wall of the frame nor is the trigger 94 pivotally connected to the frame. Furthermore, Leyerle et al. '517 provides no motivation to modify such that the striker is pivotally connected to the top wall of the frame and the trigger is pivotally connected to the frame. Accordingly, claim 22 patentably defines over the cited reference.

Since all of the independent claims patentably define over the cited references, each of the dependent claims are also believed to be patentable.

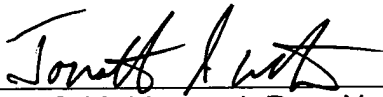
CONCLUSION

For the reasons detailed above, it is submitted that all claims remaining in the application are now in condition for allowance. Accordingly, an early indication of the same is earnestly solicited. In any event, should the Examiner consider personal contact advantageous to the disposition of this case, he is encouraged to telephone the undersigned at the number listed below.

Respectfully submitted,

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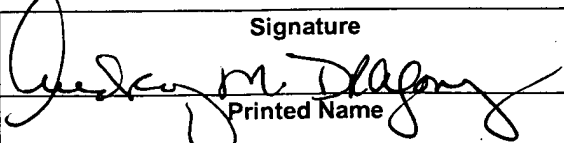
January 25, 2006
Date


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Under 37 C.F.R. § 1.8, I certify that this Amendment is being

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